

**BROOKLYN LAW SCHOOL COMMENCEMENT SPEECH**  
**JUNE 7, 2001**  
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As some of you may know, I am a first generation Puerto Rican raised in one of the poorest areas of the South Bronx. I was born the year Brown v. Board of Education was decided. The Brown case was the 1954 Supreme Court case which struck down the separate but equal doctrine in public education and opened educational opportunities to many people of color.

The year I was born, no women or people of color sat on the Supreme Court, the federal Circuit Courts of Appeals or the highest courts of any state of the union. Today, things are vastly different. We have two women both on the Supreme Court and on the New York Court of Appeals, three women (myself included) on the US Court of Appeals for the Second Circuit, and men and women of color on all three courts.

Things have changed, in part, because institutions like Brooklyn Law School, decided, more than a half century before Brown, to open its doors to students of every gender, color, race, religion and birth place. In that fateful year of 1954, Mary Johnson Lowe, an Afro-American woman, the third of nine children raised in Harlem, and the second black woman to sit on a federal district court, graduated from Brooklyn Law School as President of her class and Editor-in-Chief of the school's law journal.

As I look out upon this graduating class, I can see that Brooklyn Law School has continued its tradition of keeping the doors of opportunity wide open to a wonderfully diverse group of people. The question is, what are you to do with this opportunity after three years of hard work and I am sure a lot of debt? I want to make a suggestion: Get rich. Listen carefully, I will explain how.

Before the graduates and your parents get too excited about my message, I want to remind you that I am a judge. First year associates at big law firms earn more money than me, although by my standards, I still earn a decent salary. From this fact, you should quickly deduce that I am not about to tell you how to become financially rich. Instead, I am going to tell you about something much more important than money. I believe the path to richness as a lawyer is to remember that if you serve the disadvantaged in our society, you serve yourself in a lasting and meaningful way.

Let me tell you what I mean by service: opportunities abound in government and public interest groups to serve the disadvantaged.

But because this is New York, and law firms form an important part of our legal community and many of you are likely to work at firms at some point in your professional lives, I also want to talk you about pro bono service. For those in the audience who have never heard of the term “Pro Bono” - I hadn’t until I got to law school - all it means is to work without pay.

Pro bono service as a lawyer, as Robert Katzmann, a colleague of mine on the Second Circuit, tells people, is not merely a moral obligation. I quote him: “A lawyer’s duty to serve those unable to pay [is] not an act of charity or benevolence, but rather one of professional responsibility. The New York Code of Professional Responsibility obligates lawyers to render public interest and pro bono legal services. The American Bar Association, better known as the ABA, urges lawyers to do at least 50 hours of pro bono work each year. The obligation is there but is there need? Undisputedly, the answer to that question is yes.

In 1993, the ABA reported that less than 30 percent of low-income people who needed a lawyer for a civil matter could get one. In recent times, the budget for the Legal Service Corporation, a major source of public representation for low-income people in non-criminal cases, was decreased by 25%. To put this in context, the Legal Service's budget proportionally represents "less than \$10 a poor person in our country.



In 1996, Congress prohibited lawyers receiving federal legal-services monies from taking on class-action lawsuits or lawsuits involving abortion, illegal immigration and welfare reform.

Commendably, I know Brooklyn Law School's clinical programs, some of the best in the country, have redoubled their efforts to help address the need created by this legislation. These efforts, and the volunteer efforts of other law schools, bar groups and lawyers in private law firms, are not enough. The need is very great.

For those of you who will work at law firms or in businesses, you will easily find excuses -- good excuses -- for not doing pro bono work. You will be struggling to make a living, the need for more billable hours and to generate income will grow and you will fear taking on a pro bono project that could burden your limited time and resources. Matched against these challenges, though, will be enormous pro bono resources available to you.

Almost every major law firm in the country has institutionalized pro bono projects as does every major bar association. Civil rights organizations like the NAACP and the Puerto Rican Legal Defense and Education Fund have programs for volunteer lawyers. Lawyers for One America uses volunteers lawyers from corporations and businesses to help low-income people start companies of their own. Many other projects require just small doses of work.

There are indigent people who cannot afford a lawyer who today, as we gather here, are waiting for someone to write their wills or prepare their uncontested divorces or review their leases. You can walk into any number of aids, elder and local community clinics to find these needy people. You can even handle the civil appeals of indigents in state or federal courts. Or, as I did while in private practice, you can volunteer time to serve on the Board of Directors of private, non-for-profit or government agencies that serve the disadvantaged.

Thus, big pro bono projects exist but so do small and measured projects that almost any lawyer willing to take the time can do.

And, of course, every public service organization I know always needs money and will welcome your contributions, particularly if it involves funding raising. The hard part for lawyers, however, is not finding or doing pro bono work that fits their time, skills, resources and interests. The hard part for lawyers is finding the will to do pro bono work.

I know that nearly 70% of today's graduates have already experienced doing pro bono work and you know that it can make you feel alive, give you deep satisfaction at using all you have learned in preparing to be a lawyer, and make you feel proud to be a member of a profession that has such enormous potential to do good. For those times when the press of your professional lives is keeping you from doing pro bono work and for those of you who may still have not experienced the pleasure of pro bono work, and are not sure what you might be getting yourselves into, let me tell you a story.

Just last month a New York Law Journal article described the release of a prisoner who had been incarcerated for 21 years, most of it on death row, three times with his death warrant signed. He was released after a 16 year legal battle - waged entirely by pro bono lawyers -- proved his innocence and saved him from execution.

The lawyer who headed that effort was an international transactional lawyer who previously had almost no litigation experience but who had in 1985 volunteered to take the inmate's case through the NAACP's volunteer lawyer's project. The celebratory dinner in honor of the prisoner's release was attended by many lawyers who had worked on the case even though they had changed firms numerous times during the 16 year legal struggle. Needless to say, the article's central focus centered on the emotional ties that had formed between the released man and his lawyers and the joyful and grateful tears that were shed during that celebratory dinner.



Few pro bono projects can generate the high emotions of saving an innocent man from death. Nevertheless, waging a battle - sometimes even a losing one - in the name of justice is an experience that elevates your spirits and makes you feel more human. It makes you feel that way because you are doing a good deed simple for its own sake. It will give meaning and richness to your life as a lawyer in the way that money can't buy. This is the "how to get rich message I want you to always remember.

I grew up economically poor. I no longer am and neither are any of you. By reason of our legal education alone, we are all members of a privileged class. For this reason, it is important for us now to serve the poorest in our society as a reminder of what is important for our lives, both for ourselves and for our profession, and for the values of justice and fairness that our legal system is meant to extend to all people.

In the words of Albert Einstein,

Man is here for the sake of other men. ...

Many times a day I realize how much my own

outer and inner life is built upon the labors

of my fellow men, both living and dead, and

how earnestly I must exert myself in order to

give in return as much as I have received.

In your graduation today, you are rich in joy. I hope you will achieve in the practice of law the depth of happiness I have had throughout my career. I loved being a practicing lawyer, I love being a judge more. It is a wonderful profession - enjoy it - grow rich from it in money if you can but also in personal satisfaction from doing good.

Among Brooklyn Law School's distinguished alumni are men and women like former mayor David Dinkins, Percy Sutton, Herman Badillo, Mary Johnson Lowe, John Carro and many many others who have played and continue to play important and significant roles in the civil rights movement, in public service and in the diversification of our profession.

For someone like me, a Puerto Rican kid from the housing projects of the Bronx, it is therefore an understandable honor and a privilege beyond description to be a part of the centennial celebration of this historic institution, Brooklyn Law School, and its graduating class of 2001. Thank you for letting me share in marking your 100 years of proud service to our legal profession and our society. I wish you all a great celebration dinner and look forward to meeting each of you again someday soon either when you appear before me or when you join me on the bench.